

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FACSIMILE (202) 424-7645
WWW.SWIDLAW.COM

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NEW YORK OFFICE
THE CHRYSLER BUILDING
200 WASHINGTON AVENUE
NEW YORK, NY 10174
(212) 973-0111 FAX (212) 891-9598

T.R.A. DOCKET ROOM

November 23, 2004

VIA OVERNIGHT DELIVERY

Chairman Pat Miller
c/o Sharla Dillon, Docket Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243

04-06409

Re: EXPEDITED CONSIDERATION REQUESTED
Petition of Startec Global Licensing Company and Teligent Services, Inc.,
For Approval to Transfer Tennessee Customer Assets and to Cancel
Teligent's Tennessee Certificate

Dear Chairman Miller:


On behalf of Startec Global Licensing Company and Teligent Services, Inc. ("Petitioners"), enclosed for filing with the Tennessee Regulatory Authority are an original and thirteen (13) copies of the above-referenced filing. Also enclosed is a check for \$25.00 to cover the requisite filing fee for the above-referenced filing. Please date stamp the extra copy of this filing and return it in the postage paid envelope provided.

Petitioners respectfully request expedited consideration and approval of this petition by the Authority **at the December 13, 2004 conference agenda**, so that Petitioners may consummate the proposed transaction without delay to affected customers. By December 1, Petitioners will have received regulatory approval of the proposed customer base transfer from the Federal Communications Commission and 13 other state public utility commissions. By December 15, 2004, Petitioners will have received regulatory approval from two other states. In light of the fact that the transaction involves fewer than 50 Tennessee customers, Petitioners submit that requiring closing to be postponed until sometime in January (at the earliest), in order to obtain the Authority's approval of the instant petition, would impose an undue hardship upon Petitioners. Petitioners therefore respectfully request expedited consideration and approval of this petition by the Authority **at the December 13, 2004 conference agenda**.

Chairman Pat Miller
November 23, 2004
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Please date-stamp the enclosed extra copy of this filing and return it in the self-addressed, stamped envelope enclosed herein. Should you have any questions, please do not hesitate to contact Grace Chiu or Brian McDermott at (202) 424-7500.

Respectfully submitted,



Catherine Wang
Grace R. Chiu

Counsel for Petitioners

Enclosures

cc: Aster Adams (TRA) (via email)
David McClanahan (TRA) (via email)
Jeffrey L. Poersch (Startec)

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

Joint Petition of)	
)	
STARTEC GLOBAL LICENSING COMPANY)	
)	
and)	Docket No. _____
)	
TELIGENT SERVICES, INC.)	
)	
For Approval to Transfer Tennessee Customer)	
Assets and to Cancel Teligent's Tennessee)	
Certificate)	

PETITION

Startec Global Licensing Company ("Startec") and Teligent Services, Inc. ("Teligent") (Startec and Teligent, together, "Petitioners"), by the undersigned counsel and pursuant to Section 65-4-112 of the Tennessee Code and the rules of the Tennessee Regulatory Authority ("Authority"), hereby request authorization for Teligent to transfer to Startec its Tennessee commercial long distance customer base and associated customer account information (collectively, "Customer Assets"). Petitioners also seek a waiver, to the extent necessary, of the Authority's rules governing presubscribed carrier changes, including TRA Rule 1220-4-2-.56, to permit Petitioners to migrate Teligent's Tennessee customers to Startec without having to obtain the written authorization of each of such customer. In addition, Teligent respectfully requests approval to surrender, following consummation of the proposed transfer of customers, its certificate authorizing it to provide local exchange and intrastate interexchange telecommunications services in the State of Tennessee ("Certificate"). Petitioners are each

authorized to operate in Tennessee as a provider of intrastate interexchange telecommunications services. Teligent is also authorized to provide competitive local exchange services in Tennessee; however, Teligent does not currently provide local exchange services to any Tennessee consumers.

The proposed asset transfer will be virtually transparent to Teligent's Tennessee customers in terms of the rates and terms and conditions of service that these customers currently receive. Following consummation of the transaction, Startec will provide services to the former long distance customers of Teligent pursuant to Startec's own Certificate. The transfer of assets, therefore, will not involve a transfer to Startec of Teligent's Tennessee Certificate to provide telecommunications services. Following the closing, Teligent will file with the Commission a tariff cancellation supplement in support of its request for cancellation of its Certificate.

Petitioners respectfully request expedited treatment and consideration of this Petition. Expeditious approval of this Petition will allow Startec to promptly assume responsibility for the provision of long distance services to Teligent's Tennessee customers and thereby more speedily bring to Tennessee consumers the competitive benefits that will inure from permitting Startec to acquire the Teligent Customer Assets.¹ Petitioners therefore respectfully request that approval of this Petition be granted on an expedited basis and not later than December 13, 2004.

Petitioners respectfully submit the following information in support of this Petition:

¹ As of November 29, 2004, Petitioners will have received regulatory approval to consummate the proposed transaction from the Federal Communications Commission ("FCC") and the public utility commissions of 13 states, including California, Delaware, Georgia, Iowa, Louisiana, Maryland, Minnesota, Mississippi, Nebraska, Ohio, Oklahoma, Rhode Island, and West Virginia. By December 15, 2004, Petitioners will have obtained regulatory approval from Florida and New York as well. As of December 15, 2004, the remaining regulatory approvals collectively represent fewer than 75 customers and are expected to be obtained shortly thereafter.

I. THE PARTIES

A. Startec Global Licensing Company

Startec Global Licensing Company (“Startec”) is a Delaware corporation with its principal place of business located at 1151 Seven Locks Road, Potomac, Maryland. Startec is a wholly owned subsidiary of Startec Global Communications Corporation, a Delaware corporation whose principal business is telecommunications.²

Startec is authorized to operate in Tennessee as an interexchange reseller and operator services provider, pursuant to the Certificate issued by the Authority in Docket No. 95-03432.³ Further information concerning Startec’s technical, managerial and financial qualifications to provide service was submitted with its application for certification and is therefore a matter of public record. Startec respectfully requests that the Authority take official notice of that information and incorporate it by reference herein.

B. Teligent Services, Inc.

Teligent Services, Inc. (“Teligent”) is a Delaware corporation with its principal place of business located at 460 Herndon Parkway, Suite 100, Herndon, Virginia. Teligent is a wholly owned subsidiary of Teligent, Inc., a privately held Delaware corporation whose principal business is telecommunications.⁴ Teligent is authorized to operate as a provider of intrastate

² Startec Global Communications Corporation, a holding company, holds no regulatory licenses from this or any other regulatory commission.

³ The Authority approved Startec’s application for reinstatement of its Certificate by action taken at the November 22, 2004 conference agenda in Docket No 04-00282.

⁴ Teligent, Inc , a holding company, holds no regulatory licenses from this or any other regulatory commission.

local exchange and interexchange telecommunications services in the State of Tennessee pursuant to the Certificate issued by the Authority in Docket No. 98-00210.⁵

II. DESIGNATED CONTACTS

Correspondence, notices and communications regarding this Petition should be directed to Petitioners' respective counsel of record:

For Startec: Jeffrey L. Poersch
 General Counsel
 Startec Global Communications Corporation
 1151 Seven Locks Road
 Potomac, MD 20854
 Tel: (301) 610-4646
 Fax: (240) 314-4219
 Email: Jeffrey.Poersch@startec.com

and

For Teligent: Catherine Wang
 Grace R. Chiu
 Swidler Berlin Shereff Friedman, LLP
 3000 K Street, NW, Suite 300
 Washington, DC 20007
 Tel: (202) 424-7500
 Fax: (202) 424-7647
 Email: CWang@swidlaw.com
 GRChiu@swidlaw.com

III. DESCRIPTION OF THE PROPOSED ASSET TRANSFER

Startec has determined that the acquisition of Teligent's long distance customer base will enable it to expand its operations in a cost-efficient manner, thereby enhancing its competitive position and ability to provide integrated telecommunications services to customers in Tennessee as well as other states. To that end, Startec and Teligent have entered into an agreement whereby Startec will acquire Teligent's Tennessee long distance customer base, including associated

⁵ The Certificate was initially issued to Teligent, Inc. but was subsequently transferred to Teligent in Docket No. 99-00462.

customer account information (the “Tennessee Customers”). The proposed transaction does not involve the transfer of network facilities or telecommunications equipment in the State of Tennessee.

To ensure a seamless transition, the Tennessee Customers have been given not less than 30 days prior written notice of the proposed transfer, in compliance with the rules of the Federal Communications Commission (“FCC”) governing carrier-to-carrier customer base transfers.⁶ A copy of that customer notice letter is attached hereto as Exhibit 1. Petitioners respectfully submit that their joint notice to customers complies with TRA Rule 1220-4-2-.56 in that it comports with customer notice letters previously found acceptable by the Authority in other similar transactions. Petitioners maintain a toll free customer service number, 888-411-1175, to answer any questions customers may have concerning the proposed transfer.

Petitioners emphasize that the proposed transaction does not involve a transfer to Startec of Teligent’s Tennessee Certificate. Following closing, the services that the Tennessee Customers currently receive from Teligent will be provided by Startec pursuant to the Certificate granted to Startec in Case No. 95-03432, as referenced above. Startec will amend its Tennessee tariff, to the extent necessary, to include Teligent’s applicable rates and charges for the services that the Tennessee Customers currently receive from Teligent. As a result, the proposed asset transfer will be virtually transparent to the Tennessee Customers in terms of the rates and terms and conditions of service that these customers currently receive.

Teligent hereby informs the Commission that it has no outstanding obligations to any Tennessee customers, in the form of deposits or pre-payments for services that have not been or

⁶ 47 C F R § 64.1200(e)

will not be provided. Accordingly, following the transfer of the Tennessee Customers to Startec, the cancellation of Teligent's Certificate will be transparent to Tennessee consumers.

IV. PUBLIC INTEREST CONSIDERATIONS

Grant of this Petition will serve the public interest by enhancing competitive choices for Tennessee consumers. Specifically, the proposed transaction will benefit Tennessee consumers by accelerating Startec's ability to offer a broad range of telecommunications products and services. By enhancing Startec's ability to provide innovative and diversified services, and to expand its operations in a cost-effective manner, the asset transfer will enable Startec to strengthen its competitive position. These enhancements in turn will ultimately inure to the benefit of Tennessee consumers, by promoting innovation and furthering competition among providers in the Tennessee telecommunications marketplace. Tennessee consumers therefore will ultimately benefit from the proposed transfer of Teligent's assets to Startec.

As discussed above, the Tennessee Customers have been given prior written notice of the transfer of their account to Startec, in compliance with the FCC's customer notice rules. Following the transfer, the Tennessee Customers will continue to receive services which will be consistent with the quality of services currently provided by Teligent and which will be supported by Startec's experienced and well-qualified management team. As a result, the proposed transfer will be virtually transparent to the Tennessee Customers in terms of the rates and terms and conditions of service that these customers currently receive. The public interest therefore will be served by approval of this Petition.

In light of the fact that following closing, Teligent will cease to provide telecommunications services to any consumers within Tennessee, and the fact that Teligent has

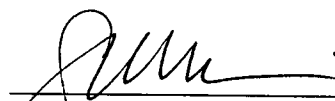
no outstanding obligations to any Tennessee customers, the cancellation of Teligent's Certificate will not adversely affect the public interest of the State of Tennessee.

Finally, expedited consideration of this Petition will serve the public interest by permitting Petitioners to more speedily bring about the competitive benefits that will inure from permitting Startec to strengthen its presence in the State of Tennessee. Petitioners therefore respectfully request that the Authority grant approval of this Petition as soon as possible but not later than December 13, 2004.

V. CONCLUSION

WHEREFORE, Petitioners respectfully request that the Authority grant this Petition and authorize Teligent to transfer to Startec the Tennessee Customer Assets, as described herein. Petitioners also seek a waiver, to the extent necessary, of the Authority's rules governing presubscribed carrier changes. In addition, Teligent respectfully requests that, upon notice of consummation of the proposed transfer of customers, the Authority cancel its Certificate. Petitioners further respectfully request that approval of this Petition be granted on an expedited basis and no later than December 13, 2004.

Respectfully submitted,



Catherine Wang

Grace R. Chiu

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

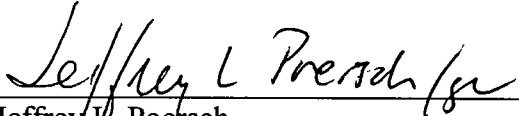
3000 K Street, NW, Suite 300

Washington, DC 20007

Tel: (202) 424-7500

Fax: (202) 424-7647

Counsel to **TELIGENT SERVICES, INC.**



Jeffrey L. Poersch

General Counsel

Startec Global Communications Corporation

1151 Seven Locks Road

Potomac, MD 20854

Tel: (301) 610-4646

Fax: (240) 314-4219

Email: Jeffrey.Poersch@startec.com

**For STARTEC GLOBAL LICENSING
COMPANY**

Dated: November 23, 2004

EXHIBIT 1

Customer Notice Letter



Teligent, Inc.
460 Herndon Parkway, Suite 100
Herndon, Virginia 20170
voice 703 326 4400
fax 703 326 4500
<http://www.teligent.com>

September 9, 2004

Dear Valued Customer,

Teligent Services, Inc. recently entered into an agreement with Startec Global Licensing Company to transfer its long distance operations to Startec. On or about November 25, 2004, Startec will provide the long distance services presently provided to you by Teligent.

There will be no service interruption associated with this transaction. You will continue to receive the same services, under the same terms and conditions, and at the same rates. You have the right to choose a different long distance carrier subject, however, to the terms and conditions of your existing agreement with Teligent. If you wish to change providers, please inform us by calling customer service at 1-888-411-1175 during business hours or by sending an email addressed to customer.services@teligent.com.

The actual transfer date will depend on when we receive the necessary federal and state approvals. Please note that all current Teligent customers will be transferred, including those who had arranged for a preferred carrier freeze. To arrange a new preferred carrier freeze, please contact your local service provider. The transfer should not result in any carrier-change charges by your local telephone company. If, however, such charges appear on your local phone bill as a result of the Teligent-Startec transfer, please request a credit or refund by calling customer service during business hours at 1-888-411-1175.

Teligent and Startec are committed to a seamless transfer. You will continue to contact customer service by calling 1-888-411-1175. In addition, Startec will work to resolve any complaints you may have filed or raised against Teligent prior to or during the transfer that have not been resolved by the time your account is transferred. Notice of any future changes in rates, terms, and conditions of service will be provided to you as required under your existing long distance agreement with Teligent or as required by law; however, no changes are anticipated.

In the coming months, you will be able to take advantage of a wide variety of additional services developed by Startec especially for business users, such as integrated local and long distance service and DSL Internet access. If you have additional questions, please contact Teligent customer service at 1-888-411-1175 or customer.services@teligent.com.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Doyle", written in a cursive style.

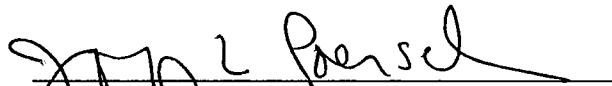
Patrick F. Doyle
President and
Chief Operating Officer

A handwritten signature in black ink, appearing to read "A. Merchant", written in a cursive style.

A. Merchant
Senior Vice President
Startec

VERIFICATION

I, Jeffrey L. Poersch, state that I am Secretary of Startec Global Licensing Company, a Party in the foregoing filing; that I am authorized to make this Verification on behalf of Startec Global Licensing Company, that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief.

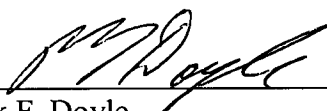


Jeffrey L. Poersch

Secretary
Startec Global Licensing Company

VERIFICATION

I, Patrick F. Doyle, state that I am President and Chief Operating Officer of Teligent Services, Inc., a Party in the foregoing filing; that I am authorized to make this Verification on behalf of Teligent Services, Inc.; that the foregoing filing was prepared under my direction and supervision; and that the contents are true and correct to the best of my knowledge, information, and belief.



Patrick F. Doyle

President and Chief Operating Officer
Teligent Services, Inc.